

State of California
Commission on the Status of
Women



Summary of 2007
Laws Affecting Women

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Published January 2008

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Introduction

The first year of the 2007/2008 legislative session was significantly impacted by California's economic situation as it has been for several years. A budget deficit remained, and fiscal constraints meant that numerous proposals died in fiscal committees because of their potential cost to the State. California is continuing to experience an economic downturn that will consume much of the Legislature's attention and affect policy decisions in the coming year. As we approach the 2008 legislative session, the impact of potential budget cuts on programs and services for women and their families will remain a priority for the Commission.

Our 2007 legislative agenda included 90 priority bills and resolutions. Of that number, the Commission supported 82 measures and opposed 8. The Legislature sent 39 of our priority support bills and resolutions to the Governor Schwarzenegger. He signed 21 of those into law and vetoed 13. The Legislature also approved 5 of our priority resolutions (the Governor does not take action on these measures). Measures opposed by the Commission would have negatively impacted access to abortion, sex education, and access to public assistance under CalWORKs. None of these measures reached the Governor's desk. Important measures signed by the Governor address gender-specific programs and services for women in prison, discrimination and harassment in public schools, community sex education programs, name changes for those entering into a marriage or domestic partnership, and CalWORKs homeless assistance for victims of domestic violence.

During 2007, the Commission monitored approximately 300 bills for potential impact on California women and their families. This "Summary" highlights those bills that were signed into law by Governor Arnold Schwarzenegger. Most of these laws became effective on January 1, 2008. Resolutions, which do not have the force of law, are assigned a chapter number by the Secretary of State when passed by the Legislature, but do not require the Governor's signature. The Commission's priority bills are noted by an *asterisk.

Bill histories, committee analyses and voting records on any of these measures can be obtained by visiting www.leginfo.ca.gov. For more information on the Commission, including bills the Commission is currently tracking, contact us at 916-445-3173, or visit our website at www.women.ca.gov.

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Child Care

AB 298

Maze

Chapter 565

Placement of children; relative caregivers

Gives greater priority to relative caregivers of children under the jurisdiction of the juvenile court with respect to placement of those children.

AB 340

Hancock

Chapter 464

Placement of children; unified family approval process

Creates a pilot program for a unified family approval process to replace the existing multiple processes for licensing foster family homes, approving relatives and nonrelative extended family members as foster care providers, and approving adoptive families.

*** AB 905**

Arambula

Chapter 110

Subsidized child care; eligibility period

Authorizes the Superintendent of Public Instruction to extend the period of eligibility for subsidized childcare by an additional 60 days for families whose basis of need for care is that they are seeking employment and it was determined that the initial eligibility period was not sufficient to find employment given local employment conditions.

AB 1571

DeSaulnier

Chapter 415

Alternative payment programs; reimbursement

Increases the amount of funding that an Alternative Payment Program may request in reimbursement from the California Department of Education for serving more children than are provided for in the child care funding contract.

*** SB 104**

Machado

Chapter 288

Crisis nurseries

Extends the sunset date to January 1, 2011 for the regulation of crisis nurseries, which provide short-term care for children when there is a family crisis or stressful situation, as a category of community care facilities, and requires crisis nurseries to submit an annual report to the Department of Social Services.

Education

*** AB 394**

Levine

Chapter 566

Discrimination in public schools

Promotes a non-discriminatory learning environment in public schools by providing local educational agencies and the Department of Education the necessary clarification and resources to ensure compliance with the California Student Safety and Violence Prevention Act of 2000.

*** SB 777**

Kuehl

Chapter 569

Discrimination in public schools; protected characteristics

Revises the current list of prohibited bases of discrimination and bias in public school instruction, activities and instructional materials, to conform to the characteristics in the definition of hate crimes in the penal code which specifically includes sexual orientation.

Employment

AB 265

Mendoza

Chapter 50

Barbering and cosmetology; hair threading

Extends the sunset date of the provision that allows the practice of hair threading (a technique to remove hair by twisting thread around unwanted hair and pulling it from the skin) be exempted from regulation by the Board of Barbering and Cosmetology.

AB 392

Lieu

Chapter 361

Employment leave; military spouse

Requires employers to allow an employee who is the spouse of a member of the Armed Forces, National Guard, or Reserves to take up to 10 days of unpaid leave while the military spouse is on leave from deployment during a military conflict.

Equality

*** AB 14**

Laird

Chapter 568

Discrimination; Civil Rights Act of 2007

Enacts the Civil Rights Act of 2007, amending existing non-discrimination government and business operations laws to be consistent with the Unruh Civil Rights Act, which prohibits discrimination in business operations, and Government Code Section 11135, which prohibits discrimination in government-funded programs and activities.

*** AB 102**

Ma

Chapter 567

Marriage and domestic partnerships; name change

Requires domestic partnership and marriage license forms to have optional sections for either or both parties to a marriage or domestic partnership to change their surnames.

AB 650

Lieu

Chapter 606

Earned income tax credit

Requires employers to notify employees that they may qualify for the federal Earned Income Tax Credit (EITC).

*** SB 559** Kehoe

Chapter 555

Domestic partners; property taxation

Requires county assessors, upon application, to reverse reassessments of the value of real property due to a transfer of ownership between domestic partners from January 1, 2000 (the enactment date of the state's registered domestic partner law) to January 1, 2006 (the enactment date of the tax law excluding transfers between registered domestic partners from the definition of change of ownership).

SJR 6 Kehoe

Resolution Chapter 63

Military; "Don't Ask, Don't Tell" policy

Urges the President and Congress to adopt the Military Readiness Act of 2007 (H.R. 1246) to end the discriminatory federal policy of "Don't Ask, Don't Tell."

Family Law

AB 861 Tran

Chapter 141

Dissolution of marriage; estates and trusts

Increases economic protections for parties obtaining a dissolution of marriage before a final property distribution.

SB 313 Scott

Chapter 47

Adoption of children

Makes various changes to streamline the adoption process, including requiring the court to automatically join necessary parties to actions filed for the purpose of determining the existence of a father-child relationship, and making it easier to adopt a child whose parents have made little or no effort to communicate with or support the child.

SB 403 Harman

Chapter 152

Child custody and visitation; drug and alcohol testing

Extends until January 1, 2009 the court's ability to order drug or alcohol testing of a person seeking custody or visitation with a child, pending the release of a Judicial Council report evaluating the implementation of this law.

SB 415 Harman

Chapter 247

Spousal support; change of circumstances

Allows a parent who has been receiving child support to request new or additional spousal support without having to show additional "change of circumstances" where the child support order has terminated because the child reached the age of majority.

SB 523 Yee

Chapter 249

Child support; order to seek employment

Establishes a pilot project in San Mateo County authorizing the court to order a child support obligor to seek employment at the same time the initial child support order is

issued, rather than being required to wait for the obligor to become delinquent in child support payments before issuing a seek-work order.

SB 892 Corbett
Child support; real property liens

Chapter 441

Permits the Department of Child Support Services and local child support agencies to transmit, file and record real property liens electronically through the California Child Support Automation System.

Girls in the Juvenile Justice System

AB 1291 Mendoza
Anti-gang violence parent classes

Chapter 457

Allows the court to order anti-gang violence classes for parents of juveniles found in violation of specified gang-related offenses.

AB 1300 Price
Juveniles wards; rehabilitative services

Chapter 458

Establishes the Family Connection and Young Offender Rehabilitation Act which expands the California Department of Corrections and Rehabilitation's Department of Juvenile Programs' purpose to include providing comprehensive education to youth offenders to promote family ties, communication restoration, and accountability to victims.

*** SB 518** Migden
Juveniles; Youth Bill of Rights

Chapter 649

Enacts a "Youth Bill of Rights" requiring juvenile facilities to provide care, placement and services to youth in their custody without discriminating on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability or HIV status.

Health

AB 12 Beall
Health care coverage; Santa Clara County

Chapter 677

Establishes the Adult Health Coverage Expansion Program, a pilot project administered by local initiative in Santa Clara County to provide health care coverage to 5,000 or more low-income adults who reside in Santa Clara County and who are employed in specified small Santa Clara County businesses.

- * AB 28** Huffman **Chapter 486**
 Personal income taxes; voluntary contributions
 Extends the sunset date for the California Breast Cancer Research Fund to January 1, 2013, allowing taxpayers to continue to designate a voluntary contribution to fund breast cancer research on their state income tax return form.
- * AB 34** Portantino **Chapter 516**
 Umbilical Cord Blood Collection Program
 Creates the Umbilical Cord Blood Collection Program within the Department of Public Health for the purpose of increasing the amount of genetically diverse umbilical cord blood donated for public use.
- AB 105** Lieu **Chapter 590**
 Tanning facilities; parental consent
 Strengthens the parental consent law required for minors to use ultraviolet tanning devices.
- AB 110** Laird **Chapter 707**
 Needle and syringe exchange projects
 Permits a public entity that receives General Fund money from the Department of Public Health for human immunodeficiency virus (HIV) prevention and education to use that money to support a clean needle and syringe exchange project.
- AB 381** Galgiani **Chapter 265**
 Medi-Cal; identification numbers
 Permits the Department of Health Care Services to establish a computerized system to provide hospitals and physicians with the Medi-Cal identification numbers for patients they are treating, so the State can prohibit the use of social security numbers which leads to identity theft and Medi-Cal fraud.
- * AB 629** Brownley **Chapter 602**
 Community sex education programs
 Enacts the Sexual Health Education Accountability Act to extend the protections currently provided in public schools to community health education programs by requiring any state-funded community-based sex education program to be medically accurate, age-appropriate, unbiased, comprehensive and culturally and linguistically appropriate.
- AB 682** Berg **Chapter 550**
 HIV/AIDS testing; consent
 Revises the written and informed consent standards associated with testing blood for the human immunodeficiency virus (HIV) by requiring a medical care provider, prior to ordering an HIV test, to inform the patient that the test is planned, provide information

about the test, inform the patient regarding specified treatment options and further testing needed, and advise the patient that he or she has the right to decline the test.

AB 910

Karnette

Chapter 617

Disabled persons; support and health care coverage

Expands the eligibility criteria under which health plans and insurers must continue coverage for disabled children who reach adulthood.

AB 1108

Ma

Chapter 672

Children's products; phthalates

Prohibits the use of phthalates in toys and childcare products designed for babies and children under three years of age.

AB 1559

Berryhill

Chapter 712

Community college registered nursing programs; admissions

Specifies admission criteria that California Community College (CCC) registered nursing (RN) programs may use if the number of applicants exceeds the enrollment capacity of the RN program.

*** ACR 5**

Berg

Resolution Chapter 4

American Heart Month and Wear Red Day

Recognizes February 2007 as American Heart Month in California in order to raise awareness of the effect of heart disease on women, and recognizes February 2, 2007, as Wear Red Day in California, urging all citizens to show their support for women and the fight against heart disease by wearing the color red on that day.

ACR 34

Nakanishi

Resolution Chapter 24

Shaken Baby Syndrome Awareness Week

Recognizes April 15 to April 21, 2007 as Shaken Baby Syndrome Awareness Week.

AJR 19

Ma

Resolution Chapter 75

Healthy Families Program

Urges the California congressional delegation to ensure that Congress reauthorizes the State Children's Health Insurance Program to assure adequate federal funding for California's Healthy Families Program.

SB 7

Oropeza

Chapter 425

Smoking in vehicles; minor passengers

Makes it an infraction punishable by a fine not exceeding \$100 for a person to smoke a pipe, cigar, or cigarette in a motor vehicle in which there is a minor.

*** SB 22** Migden
Breast-feeding; hospital training

Chapter 460

Requires the State Department of Public Health to recommend specified training that is intended to improve breast-feeding rates among mothers and infants for general acute care hospitals and special hospitals that provide maternity care, and that have exclusive patient breast-feeding rates in the lowest 25 percent.

SB 366 Aanestad
Gynecological slides; automated screening

Chapter 198

Permits cytotechnologists that examine gynecological slides using an automated or semi-automated screening device to continue adhering to the workload standard established by the federal Clinical Laboratory Improvement Amendments (CLIA) indefinitely (current law allowing this system is due to sunset on January 1, 2008).

SB 443 Migden
Sperm donors

Chapter 207

Authorizes the use of sperm from a donor who has tested reactive for human immunodeficiency virus (HIV) or human T lymphotropic virus-1 (HTLV-1) for the purposes of insemination or advanced reproductive technology (ART), and requires such sperm to be processed to minimize infectiousness before being used for insemination or ART.

Long Term Care and Aging

AJR 11 Swanson
In-Home Supportive Services Plus Waiver

Resolution Chapter 108

Encourages state agencies and the federal government to ensure the renewal and protection of the In-Home Supportive Services Plus Waiver program, which provides federal matching funds for personal care services.

SB 611 Steinberg
Elder and dependent adults; financial abuse

Chapter 45

Permits the use of the Attachment Law in cases involving financial abuse of an elder or dependent adult under the Elder Abuse and Dependent Adult Civil Protection Act, a procedure that seizes and imposes liens on the defendant's property to secure the plaintiff's future judgment if the plaintiff can show a probability of success and post a bond to protect the value of the property.

Reproductive Health

SB 94 Kuehl
Medi-Cal; reimbursement rates

Chapter 636

Enacts a Medi-Cal provider reimbursement rate increase for specific comprehensive family planning clinical office visits.

SB 850 Maldonado
Fetal death; Certificate of Still Birth

Chapter 661

Enacts the Missing Angels Act, providing for the issuance of a Certificate of Still Birth in the case of a naturally occurring fetal death where the gestational age of the fetus is 20 weeks or more.

SB 962 Migden
Umbilical cord blood: research

Chapter 517

Requires the Department of Public Health, as part of the Hereditary Disorders Act, to provide umbilical cord blood samples to the Birth Defect Monitoring Program for storage and research.

Teen Pregnancy and Parenting

* **SB 720** Kuehl
Foster youth; teen parents

Chapter 475

Clarifies changes to recent state law to encourage the joint placement of foster teen parents and their infants in family-like settings rather than group homes.

Violence

AB 289 Spitzer
Protective orders

Chapter 582

Allows a court to issue a protective order that is valid for up to ten years upon a defendant's conviction for domestic violence whether the defendant is sentenced to state prison or county jail, or placed on probation with a suspended sentence.

* **ACR 6** Ma
Teenage Dating Violence Awareness and Prevention Week

Resolution Chapter 11

Recognizes February 5 to 9, 2007 as Teenage Dating Violence Awareness and Prevention Week.

* **ACR 11** Beall
Domestic Violence Awareness Month

Resolution Chapter 134

Proclaims the month of October 2007 as Domestic Violence Awareness Month.

Ma

Resolution Chapter 135

National Day of Human Trafficking Awareness

Recognizes the National Day of Human Trafficking Awareness on January 11 of each year in order to encourage greater awareness of human trafficking and all other forms of modern day slavery.

ACR 52

Spitzer

Resolution Chapter 48

National Missing Children's Day

Proclaims May 25, 2007 as National Missing Children's Day.

*** SB 353**

Kuehl

Chapter 205

Protective orders; animals

Increases protection for domestic violence victims by allowing animals to be included in domestic violence protective orders in both criminal and family courts.

*** SB 362**

Simitian

Chapter 538

Identification devices; subcutaneous implants

Prohibits a person from requiring, coercing, or compelling another individual to undergo the subcutaneous implanting of a radio frequency identification device.

*** SB 407**

Romero

Chapter 206

Domestic violence; counselor privilege

Clarifies and updates current law governing the domestic violence victim-counselor privilege, including establishing a uniform definition of “domestic violence counselor,” requiring domestic violence counselors to be trained on the domestic violence counselor privilege, and prohibiting an abusive conservator or guardian from acting as holder of the privilege on behalf of a domestic violence victim.

*** SCR 8**

Battin

Resolution Chapter 29

Child Abuse Prevention Month

Acknowledges the month of April 2007 as Child Abuse Prevention Month and encourages the people of the State of California to work together to support youth-serving child abuse prevention activities in their communities and schools.

SCR 46

Machado

Chapter 79

California Anti-Bullying Week

Designates the second week in November 2007 as California Anti-Bullying Week.

SCR 50

Harman

Resolution Chapter 105

Health education; child abuse and neglect

Strongly encourages the State Board of Education to include instruction on preventing child abuse and neglect in the next set of health education content standards.

Welfare

AB 98

Niello

Chapter 589

CalWORKs; subsidized employment

Requires the state to contribute half of the wage subsidy for subsidized employment programs operated by counties for California Work Opportunity and Responsibility to Kids (CalWORKs) participants.

*** AB 176**

Jones

Chapter 488

CalWORKs; child support

Implements child support program provisions contained in the federal Deficit Reduction Act of 2005 requiring states to review child support orders in CalWORKs cases every three years, and providing that on or after October 1, 2009, CalWORKs families are not mandated to assign their rights to past-due child support that accrued before receiving cash assistance.

*** AB 335**

De Leon

Chapter 726

CalWORKs; homeless assistance

In establishing eligibility for the CalWORKs Homeless Assistance Program, allows domestic violence to be verified by a sworn statement of the victim where homelessness is a direct result of domestic violence.

AB 1078

Lieber

Chapter 622

CalWORKs; income and assets

Adopts several measures to promote earnings and assets of CalWORKs recipients, including (1) maximum use of the federal Earned Income Tax Credit, (2) exclusion of specified retirement accounts as assets for applicants; and (3) added information for participants in grant-based, on-the-job training programs.

AJR 4

Beall

Resolution Chapter 123

CalWORKs; Deficit Reduction Act

Urges the United States Congress and President to revise and repeal elements of the federal Deficit Reduction Act of 2005 affecting the CalWORKs and child support programs.

Women in Prison

*** AB 76**

Lieber

Chapter 706

Gender-focused master plan

Requires a gender-focused plan to better provide care and custody of women inmates under the jurisdiction of the California Department of Corrections and Rehabilitation, including the creation of a Female Offender Reform Master Plan.

* **AB 1539** Krekorian
Prisoners; medical release

Chapter 740

Provides more effective procedures for prisoners who qualify for California's medical release law, which allows early release of terminally ill prisoners who are not a threat to public safety.

* **SB 959** Romero
Involuntary home detention

Chapter 252

Provides counties the option of creating and implementing an involuntary electronic home monitoring program for county inmates.

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